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May 11, 2007

E-FILED AND HAND DELIVERED

The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
844 N. King Street
Room 4124, Lockbox 27
Wilmington, DE 19801

RE: *Stanziale v. Pepper Hamilton, et al.*, No. 04-1551
Royal Indemnity Co. v. Pepper Hamilton LLP, et al., No. 05-165

Dear Judge Farnan:

Throughout discovery in the referenced cases, Your Honor has encouraged the parties to bring to your attention by letter matters of urgency so that they might be promptly resolved. I am writing on behalf of my clients, defendants Pepper Hamilton, LLP and Robert Gagné, as an attorney in that firm, to bring a matter of great importance and urgency to Your Honor's attention and, because of its impact on further expert discovery and trial preparation, to request a prompt resolution thereof.

We have today filed the enclosed Motion and supporting Brief of Pepper Hamilton LLP and Robert Gagné, in His Capacity as an Attorney Practicing at Pepper Hamilton LLP, to Strike Expert Reports and Preclude Testimony of Douglas M. Branson, Nancy J. Moore and Steven L. Schwarcz (the "Motion"), three experts identified by Plaintiffs, because Plaintiffs admit that each of the experts, in preparing his or her report and reaching his or her opinions, received and considered confidential mediation statements prepared in December 2006 by my clients and certain other Defendants in connection with a mediation involving Plaintiffs and those Defendants.

Plaintiffs' expert reports were served on May 7, 2007. Defendants' expert reports are due June 4, 2007. The issues raised by the enclosed Motion and Brief directly impact further expert discovery and trial preparation. Therefore, we request a prompt hearing on the Motion, either in Court or telephonically. In order to have the matter most expeditiously decided, my clients waive their right to file a reply brief with respect to the Motion.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "William H. Sudell, Jr.", with a large, stylized flourish at the end.

William H. Sudell, Jr.

WHS/clh

cc: All Counsel on Attached Service List

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